

# WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP

Providing Exemplary Legal Service Since 1888

KEVIN G. COOPER  
DIRECT DIAL: 212-545-4717  
FACSIMILE: 212-545-4653  
[KCooper@whafh.com](mailto:KCooper@whafh.com)

270 MADISON AVENUE  
NEW YORK, NY 10016  
212-545-4600

SYMPHONY TOWERS  
750 B STREET - SUITE 2770  
SAN DIEGO, CA 92101  
619-239-4599

55 WEST MONROE STREET - SUITE 1111  
CHICAGO, IL 60603  
312-984-0000

November 9, 2015

## **Via ECF and Email**

The Honorable Analisa Torres  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

Re: *George Packard, et al., v. City of New York, et al.*, No. 1:15-cv-7130-AT

Dear Judge Torres:

Pursuant to Your Honor's Individual Rules of Practice in Civil Cases § I(A) and (D) and as set forth in the Initial Pretrial Conference Order ("Pretrial Order") (Dkt. No. 8), the plaintiffs and defendants in the above-referenced matter submit this joint letter motion to modify the Pretrial Order and set aside the date for the initial pretrial conference currently set for November 16, 2015, and the corresponding joint case management letter and plan to be submitted prior to the conference on November 13, 2015. The initial pretrial conference was set to occur after defendants' answer or response to the complaint, but now with the extension granted on October 13, 2015 (Dkt. No. 22), the initial pretrial conference is set to occur prior to defendants' answer or response to the complaint.

Until the defendants answer or respond to the complaint on December 14, 2015, the parties to this matter will have difficulty preparing the Civil Case Management Plan as required by the Pretrial Order and currently due on November 13, 2015. After defendants answer or respond to the complaint, the parties will be able to detail the expected discovery needs, the requisite time periods for pre-trial proceedings, and an estimated trial length.

Both plaintiffs and defendants respectfully request that the initial pretrial conference date be extended to January 14, 2016, a month after December 14, 2015, the date by which the defendants must answer or otherwise respond to the complaint according to the extension granted on October 13, 2015, or to another time convenient to the Court.

For the reasons stated above, plaintiffs and defendants respectfully request that the Pretrial Order be modified such that the initial pretrial conference is set for January 14, 2016 with a joint case management letter and plan to be submitted to the Court on January 11, 2016, or modified to reflect other dates that are convenient to the Court.

Plaintiffs and defendants thank the Court for its time and consideration of this request.

Dated November 9, 2015

Respectfully submitted,

/s/  
Kevin G. Cooper, Esq.  
WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP  
270 Madison Avenue  
New York, NY 10016  
(212) 545-4600

/s/  
Wylie M. Stecklow, Esq.  
STECKLOW & THOMPSON  
217 Centre Street, 6<sup>th</sup> Floor  
New York, NY 10013  
(212) 566-8000

*Counsel for Plaintiffs*

/s/  
Andrew Lucas, Esq.  
Assistant Corporation Counsel  
Special Federal Litigation Division  
The City of New York Law Department  
100 Church Street  
New York, NY 10007  
(212) 356-2373

*Counsel for Defendants*